



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application) Primary Examiner: n/a
DECKER, D.) Group Art Unit: 2875
Serial No. **10/760,117**) Atty Docket No.: **62077-00008**
Filed: **Jan. 15, 2004**)
Title: Oil Lamp, Air Freshener)
And/or Fragrance Release)
Apparatus and Wick Therefor)
)

Express Mail Label Number: ER 392 345 958 US

I hereby certify that the listed correspondence below is being deposited with the U.S. Postal Service as EXPRESS MAIL, postage prepaid, under 37 CFR 1.10 in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Oct. 22, 2004.

By: *David Hong*
David Hong (Reg. No. 45104)

RESPONSE TO MISSING PARTS NOTICE DATED 4/22/2004

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

This is a response to the Notice to File Missing Parts of Nonprovisional Application, dated April 22, 2004. The following documents are respectfully submitted:

1. Response to Missing Parts Notice Dated 4/22/2004 (4 pages);
2. Notice to File Missing Parts of Nonprovisional Application, dated 4/22/04 (2 pages);
3. Declaration and Petition of Inventors DayNa Decker & Steven Dodson (2 pages);
4. Credit Card Payment Form PTO-2038 (1 page);
5. Fee Transmittal for FY 2005 (1 page);

6. Petition for Extension of Time (1 page) - \$765 Extension Fee is included in Credit Card Payment Form PTO 2038;
7. Revocation of Power of Attorney and New Power of Attorney (DayNa Decker & Steven Dodson) (2 pages);
8. Marked Up Drawing Pages for Fig. 9-26 (6 pages) & Replacement Drawing Pages for Fig. 9-26 (6 pages);
9. Return Postcard (1 page).

Amendment to the Drawings:

In response to the Notice to File Missing Parts (April 22, 2004), the applicant submits replacement sheets (6 pages) for Fig. 9-26. The applicant has removed stray marks and interlineations and replaced hand drawn reference numbers with typed reference numbers. Please also find marked-up drawing pages for Fig. 9-26 (6 pages), which show the changes to the drawings in red ink. No new matter has been added.

For Fig. 10, 11, 13, 14, 17, 18, 20, 21, 23, 24, and 26, there was an inadvertent line cutting across the length of the drawings, which has been removed without prejudice.

For Fig. 10, two reference lines have been removed without prejudice because no reference number was listed. Applicant respectfully reserves the right to place reference numbers on structures in the originally filed drawings if necessary.

For Fig. 14, the line of sight of orientation was listed with a crossed out "F" and a "15". The applicant has removed the

crossed out "F" and replaced with a typed "15" to indicate the line of reference for Fig. 15. No new matter has been added; see specification page 7, paragraphs 0042 and 0043.

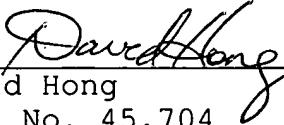
For Fig. 17, the line of sight of orientation was listed with an "F" only on one portion. The applicant has removed the "F" and replaced with a typed reference number "18" to indicate the line of reference for Fig. 18; also, an arrow for the line of sight has been added. No new matter has been added; see specification page 8, paragraphs 0045 and 0046.

For Fig. 20, the line of sight of orientation was listed with a crossed out "F" and a "21". The applicant has removed the crossed out "F" and replaced with a typed "21" to indicate the line of reference for Fig. 21. No new matter has been added; see specification page 8, paragraphs 0048 and 0049.

For Fig. 23, the line of sight of orientation was listed with a crossed out "F" and a "23". The original drawing for Fig. 23 incorrectly showed a light of sight for "23" and should have been listed for "24." The antecedent basis for this amendment can be found at specification page 8, paragraphs 0051 and 0052. The applicant has removed the crossed out "F" and "23" and replaced with a typed "24" reference number to indicate the line of reference for Fig. 24. No new matter has been added.

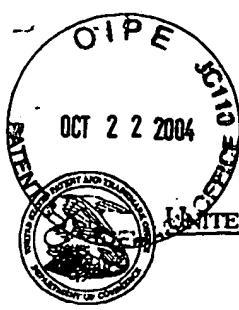
Respectfully Submitted,

LAW OFFICE OF DAVID HONG
by


David Hong
Reg. No. 45,704

Dated: Oct. 22, 2004

LAW OFFICE OF DAVID HONG
Mailing Address:
P.O. Box 2111
Santa Clarita, CA 91386-2111
Tel/Fax: (866) 824-8680
Customer No. 35969



10-25-04

Page 1 of 2

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

IFW \$
C.C.

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/760,117 | 01/15/2004 | DayNa M. Decker | 62077-00008 |

CONFIRMATION NO. 7349

Douglas N. Larson
Squire, Sanders & Dempsey, L.L.P.
14th Floor
801 S. Figueroa Street
Los Angeles, CA 90017

FORMALITIES LETTER



OC000000012429105

Date Mailed: 04/22/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 10, 11, 13, 14, 17, 18, 20, 21, 23, 24, 26.

The applicant needs to satisfy supplemental fees problems indicated below.

| |
|---------------------------------------|
| 10/26/2004 DEMMANU1 00000047 10760117 |
| 01 FC:2001 395.00 OP |
| 02 FC:2201 88.00 OP |
| 03 FC:2202 576.00 OP |
| 04 FC:2051 65.00 OP |

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$1324 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$2224 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$1324
 - \$172 for 2 independent claims over 3.
 - \$1152 for 64 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.


Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE

BEST AVAILABLE COPY,



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/17 (10-04)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1889.00)

Complete if Known

| | |
|----------------------|-------------|
| Application Number | 10/760,117 |
| Filing Date | 01/15/2004 |
| First Named Inventor | DECKER |
| Examiner Name | |
| Art Unit | 2875 |
| Attorney Docket No. | 62077-00008 |

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

| | |
|------------------------|--|
| Deposit Account Number | |
| Deposit Account Name | |

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 1001 790 | 2001 395 | Utility filing fee | 395 |
| 1002 350 | 2002 175 | Design filing fee | |
| 1003 550 | 2003 275 | Plant filing fee | |
| 1004 790 | 2004 395 | Reissue filing fee | |
| 1005 160 | 2005 80 | Provisional filing fee | |
| SUBTOTAL (1) (\$ 395) | | | |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|--------------|----------------|----------|
| 84 | -20** = 64 | | X 9 | = 576 | |
| 6 | - 3** = 2 | | X 44 | = 88 | |
| | | | | = 664 | |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|----------------------------|----------------------------|--|
| 1202 18 | 2202 9 | Claims in excess of 20 |
| 1201 88 | 2201 44 | Independent claims in excess of 3 |
| 1203 300 | 2203 150 | Multiple dependent claim, if not paid |
| 1204 88 | 2204 44 | ** Reissue independent claims over original patent |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) (\$ 664) | | |

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity

Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|-----------------------------------|---------------|--|----------|
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | 65 |
| 1052 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 1053 130 | Non-English specification | |
| 1812 2,520 | 1812 2,520 | For filing a request for ex parte reexamination | |
| 1804 920* | 1804 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | Extension for reply within first month | |
| 1252 430 | 2252 215 | Extension for reply within second month | |
| 1253 980 | 2253 490 | Extension for reply within third month | |
| 1254 1,530 | 2254 765 | Extension for reply within fourth month | 765 |
| 1255 2,080 | 2255 1,040 | Extension for reply within fifth month | |
| 1401 340 | 2401 170 | Notice of Appeal | |
| 1402 340 | 2402 170 | Filing a brief in support of an appeal | |
| 1403 300 | 2403 150 | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | Petition to institute a public use proceeding | |
| 1452 110 | 2452 55 | Petition to revive - unavoidable | |
| 1453 1,330 | 2453 665 | Petition to revive - unintentional | |
| 1501 1,370 | 2501 685 | Utility issue fee (or reissue) | |
| 1502 490 | 2502 245 | Design issue fee | |
| 1503 660 | 2503 330 | Plant issue fee | |
| 1460 130 | 1460 130 | Petitions to the Commissioner | |
| 1807 50 | 1807 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 180 | 1806 180 | Submission of Information Disclosure Stmt | |
| 8021 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 790 | 2809 395 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 790 | 2810 395 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 790 | 2801 395 | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | |
| Other fee (specify) _____ | | | |
| *Reduced by Basic Filing Fee Paid | | | |
| SUBTOTAL (3) (\$ 830) | | | |

(Complete if applicable)

| | | | | | |
|-------------------|---------------|-----------------------------------|-------|-----------|------------|
| Name (Print/Type) | David Hong | Registration No. (Attorney/Agent) | 45704 | Telephone | 8668248680 |
| Signature | | | | | |
| Date | Oct. 22, 2004 | | | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.